

## UNITED STATES BANKRUPTCY COURT

Western District of Texas

## Order Combined With Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors, &amp; Deadlines

A chapter 11 bankruptcy case concerning the debtor(s) listed below was filed on 3/27/14.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**Creditors -- Do not file this notice in connection with any proof of claim you submit to the court.  
See Reverse Side For Important Explanations.**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Fired Up, Inc.  
dba Johnny Carino's Italian, dba Johnny Carino's, dba  
Johnny Carino's Country Italian, dba Carino's Italian  
Grill, dba Carino's Italian, dba Brunello's Steak &  
Pasta, fdbs Kona Restaurant Group, Inc., fdbs Kona  
Ranch Steaks & Seafood, fdbs Spagieddie's Italian  
Kitchen, fdbs Kona Ranch Hawaiian Grill, (additional  
aliases cannot be listed here)  
1514 Ranch Road 620 South  
Austin, TX 78734

Case Number:  
14-10447-tmd

Last four digits of Social Security or Individual Taxpayer ID (ITIN)  
No(s)/Complete EIN:  
52-1950745

Attorney for Debtor(s) (name and address):

Barbara M. Barron  
Barron & Newburger, P.C.  
1212 Guadalupe, #104  
Austin, TX 78701  
Telephone number: (512) 476-9103

## Meeting of Creditors:

Date: **April 29, 2014**

Time: **10:00 AM**

Location: **Austin Room 118, Homer Thornberry Bldg., 903 San Jacinto, Austin, TX 78701**

## Deadlines to File a Proof of Claim:

Proof of claim must be *received* by the bankruptcy clerk's office by the following deadline:

For all creditors (except a governmental unit): **7/28/14**

For a governmental unit: *not later than 180 days after the date of the  
order for relief.*

## Creditor with a Foreign Address

A creditor to whom this notice is sent at a foreign address should  
read the information under "Claims" on the reverse side.

## Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

## Address of the Bankruptcy Clerk's Office:

United States Bankruptcy Court  
903 SAN JACINTO, SUITE 322  
AUSTIN, TX 78701-0

Telephone number: (512) 916-5238

## For the Court:

Clerk of the Bankruptcy Court:  
Yvette M. Taylor



Hours Open: Monday – Friday 8:00 AM – 4:00 PM

Date: 3/31/14

## EXPLANATIONS

FORM B9F(Alt)(12/12)

Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the court. You may be sent a copy of the plan and a disclosure statement telling you about the plan, and you might have the opportunity to vote on the plan. You will be sent notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtor will remain in possession of the debtor's property and may continue to operate any business.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor or debtor's representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. At the meeting, the creditors may elect a trustee other than the one named on this notice, examine the debtor, and transact such other business as may properly come before the meeting. The meeting may be continued and concluded at a later date specified in a notice filed with the court. The court, after notice and a hearing, may order that the United States trustee not convene the meeting if the debtor has filed a plan for which the debtor solicited acceptances before filing the case. <b>FAILURE OF THE DEBTOR OR HIS ATTORNEY TO APPEAR AT THE SECTION 341(a) MEETING OR TO TIMELY FILE SCHEDULES AND STATEMENT OF AFFAIRS MAY RESULT IN DISMISSAL, DENIAL OF THE DEBTOR'S DISCHARGE, OR OTHER APPROPRIATE RELIEF.</b>
Claims	A Proof of Claim is a signed statement describing a creditor's claim. You can file a claim (without needing a B10 form) using the court's Online Claim Filing System located on the Bankruptcy Court's Website: <a href="http://www.txwb.uscourts.gov">http://www.txwb.uscourts.gov</a> or you may obtain an official B10 Proof of Claim form at any bankruptcy clerk's office. You may look at the schedules that have been or will be filed at the bankruptcy clerk's office. If your claim is scheduled and is <i>not</i> listed as disputed, contingent, or unliquidated, it will be allowed in the amount scheduled unless you file a Proof of Claim or you are sent further notice about the claim. Whether or not your claim is scheduled, you are permitted to file a Proof of Claim. If your claim is not listed at all <i>or</i> if your claim is listed as disputed, contingent, or unliquidated, then you must file a Proof of Claim by the "Deadline to File a Proof of Claim" listed on the front side, or you might not be paid any money on your claim against the debtor in the bankruptcy case. A secured creditor retains rights in its collateral regardless of whether that creditor files a Proof of Claim. Filing a Proof of Claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a Proof of Claim may surrender important nonmonetary rights, including the right to a jury trial. Pursuant to Local Rule 3002(a)&(b) proof of claim or proof of interest shall be filed in duplicate, complete with attachments. A copy with attachments shall be served on the debtor's attorney or on the debtor if pro se. <b>Filing Deadline for a Creditor with a Foreign Address:</b> The deadlines for filing claims set forth on the front of this notice apply to all creditors. If this notice has been mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. <i>Do not include this notice with any filing you make with the court.</i>
Discharge of Debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code §1141(d). A discharge means that you may never try to collect the debt from the debtor except as provided in the plan. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code §1141(d)(6)(A), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that deadline.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. Registered electronic users should file through our <b>Case Management/Electronic Case Files (CM/ECF)</b> Internet site ( <a href="https://ecf.txwb.uscourts.gov/">https://ecf.txwb.uscourts.gov/</a> ). You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office or via the Internet if you have a <b>CM/ECF PACER subscription</b> .
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
<b>-- Refer to Other Side for Important Deadlines and Notices --</b>	